



1632

TRANSMITTAL LETTER			Case No. 8642/91
Serial No. 09/663,889	Filing Date September 18, 2000	Examiner To be assigned	Group Art Unit 1632
Inventor(s) Nabel et al.			
Title of Invention KITS FOR SITE-SPECIFICALLY TRANSFORMING CELLS IN VIVO			

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TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is a First Supplemental Information Disclosure Statement; Form PTO-1449; 8 cited references; return postcard.

- Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.
- A verified statement to establish small entity status under 37 CFR §§ 1.9 and 1.27 is enclosed.
- Petition for a _____ month extension of time.
- No additional fee is required.
- The fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra
Total		Minus		
Indep.		Minus		
First Presentation of Multiple Dep. Claim				

Small Entity		Other Than Small Entity	
Rate	Add'l Fee	Rate	Add'l Fee
x \$9=		x \$18=	
x 40=		x \$80=	
+\$135=		+\$270=	
Total add'l fee	\$	Total add'l fee	\$

- Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$_____. A duplicate copy of this sheet is enclosed.
- A check in the amount of \$____ to cover the filing fee is enclosed.
- The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Thomas J. Wrona
Registration No. 44,410
Agent for Applicant

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on August 10, 2001.

Date: 8/16/01

Signature: 

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Document 5



CERTIFICATE OF MAILING

8/16/01
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope, with sufficient postage, addressed to: Commissioner for Patents, Washington, D.C. 20231, on

August 10, 2001

Date of Deposit

Thomas J. Wrona

Name of Applicant, Assignee or
Registered Representative

Signature

8/10/01

Date of Signature

Our Case No.: 8642/91

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Nabel et al.

Examiner: To be assigned

Serial No.: 09/663,889

Group Art Unit No.: 1632

Filing Date: September 18, 2000

For: KITS FOR SITE-SPECIFICALLY
TRANSFORMING CELLS IN VIVO

FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this First Supplemental Information Disclosure Statement be entered and the documents listed below and on the attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

The disclosure includes references that were cited by the Japanese patent office in a related case. For the convenience of the Examiner, Applicant has included PCT applications that correspond with the documents in Japanese. Applicant has provided the corresponding PCT application in English for JP 7-502651 and JP 11-506315. Also, PCT applications WO 96/06940, WO 96/06938 and WO 96/22101 provide an English translation of the abstract for Japanese documents JP 10-506526, JP 10-507626 and JP 10-512559, respectively. Because the text of these PCT applications are not in English, Applicant only provides the cover sheet which includes a translation of the abstract.

The references now cited are the following:

FOREIGN PATENT PUBLICATIONS

DOCUMENT NUMBER	DATE	COUNTRY	CORRESPONDING PCT APPLICATION
WO 94/24297	10/27/1994	WIPO	
WO 95/06486	3/9/1995	WIPO	
7-502651	3/23/1995	Japan	WO 93/12251
10-506526	6/30/1998	Japan	WO 96/06940
10-507626	7/28/1998	Japan	WO 96/06938
10-512559	12/2/1998	Japan	WO 96/22101
11-506315	6/8/1999	Japan	WO 96/34969

PUBLICATIONS

1. Culver et al., "Gene Therapy for Cancer", *T/G*, vol. 10, no. 5, 174-178 (1994)

In accordance with 37 C.F.R. § 1.97(g),(h), this First Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been

made and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

This First Supplemental Information Disclosure Statement is being filed prior to the receipt of the first Official Action reflecting an examination on the merits and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with filing of this First Supplemental Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these material, the Commissioner is hereby authorized to deduct said fees from Brinks Hofer Gilson & Lione Deposit Account No. 23-1925. A duplicate copy of this document is enclosed.

Applicant(s) respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,



Thomas J. Wroha
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Agent for Applicant(s)

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